

10/03/01  
JC904 U.S. PTO

10-04-01

A

Practitioner's Docket No. 4519/00018

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

JC997 U.S. PTO  
09/971852  
10/03/01

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Kenneth L. Rinehart; Jose J. Morales; Joel Reid; Isabel Reymundo; Pablo Floriano; Lola Garcia Gravalos

For (title): Metabolites of Ecteinascidin 743 formed by Human Cytochrome CYP3A4 (as amended)

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10\*  
(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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[X] deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. Section 1.8(a)

37 C.F.R. Section 1.10\*

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TRANSMISSION

[ ] transmitted by facsimile to the Patent and Trademark Office (703)\_\_\_\_-

Date: 10/3/01

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Michelle A. DeFalco

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**1. Type of Application**

This transmittal is for a divisional/continuation application.

**2. Benefit of Prior U.S. Applications (35 U.S.C. Sections 119(e), 120, or 121)**

The new application being transmitted claims the benefit of prior U.S. applications. Enclosed are  
ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.  
APPLICATIONS CLAIMED.

**3. Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design)  
Application

14 Page(s) of Specification

3 Page(s) of Claims

25 Sheet(s) of Drawing(s)--Informal

25 Sheet(s) of Drawing(s)--Formal

B. Other Papers Enclosed

6 Page(s) of declaration and power of attorney

1 Page(s) of abstract

**4. Additional Papers Enclosed**

Preliminary Amendment

**5. Declaration or Oath**

Enclosed

Executed by:

\* inventors.

**6. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**7. Language**

[illegible]

8. Fee Calculation (37 C.F.R. Section 1.16)

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$740.00
Total Claims (37 CFR 1.16(c))	14	- 20 =	0 x	\$18.00	\$0.00
Independent Claims (37 CFR 1.16(b))	14	- 3 =	11 x	\$84.00	\$924.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$280.00	\$0.00

Filing Fee Calculation \$1,664.00

9. Fee Payment Being Made at This Time

Enclosed  
Filing Fee \$1,664.00

Total Fees Enclosed \$1,664.00

10. Method of Payment of Fees

Charge Account No. 19-0733 in the amount of \$1,664.00.

11. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 19-0733.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to SECTION 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

**12. Instructions as to Overpayment**

Credit Account No. 19-0733.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATIONS CLAIMED**

**13. Relate Back**

Amend the specification by inserting, before the first line, the following sentence:

**A. 35 U.S.C. Sections 120, 121 and 365(c)**

"This application is a divisional/continuation of copending application:

Application number 09/309,947 filed on May 11, 1999.

"The nonprovisional application designated above, namely application 09/309,947, filed May 11, 1999, claims the benefit of U.S. Provisional Application Nos.:

**APPLICATION NO.**

**FILING DATE**

60/085,024

05/11/1998

Date:

Ernest V. Linek

BANNER & WITCOFF, LTD.

Boston, MA 02109

Customer No. 22910

(New Application Transmittal--page 6 of 14)